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C O N F I D E N T I A L SECTION 01 OF 03 ADDIS ABABA 000419

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DEPARTMENT FOR AF DAS YAMAMOTO AND AF/E  
USUN NY FOR T.OHLSON  
LONDON, PARIS, ROME FOR AFRICA WATCHER

E.O. 12958: DECL: 02/13/2016

TAGS: [PREL](#) [PBTS](#) [MOPS](#) [KPKO](#) [ET](#) [ER](#)

SUBJECT: UNMEE SRSG ADVOCATES REDUCING UNMEE TO "TOKEN  
PRESENCE"

REF: A. ADDIS ABABA 00385 (NOTAL)

[1](#)B. ADDIS ABABA 03930 (NOTAL)

Classified By: CHARGE D'AFFAIRES VICKI HUDDLESTON. REASON: 1.4 (D).

[1](#)1. (C) SUMMARY. Eritrea continues to restrict freedom of movement by UNMEE MILOBs within the Temporary Security Zone, and to flaunt previously agreed upon protocols relating to UNMEE's right to challenge and inspect police and militia within the TSZ, according to UNMEE SRSG Legwaila. Such restrictions on freedom of movement, coupled with the GSE's continued ban on UNMEE aerial operations within the TSZ, have severely restricted UNMEE's ability to monitor the border, with 95 per cent of the eastern sector going unmonitored. According to Legwaila, the status quo favors Ethiopia, which occupies contested areas legally, so long as demarcation does not occur. Neither party seeks war, but neither appears to seek compromise either, as both parties have avoided participating in Ethiopia-Eritrea Boundary Commission meetings since November 2004. Citing the futility of the status quo, Legwaila advocates downsizing UNMEE to either a "token presence" or "liaison office," which would cost one-half to one-fourth the current mission's cost. END SUMMARY.

[1](#)2. (U) On February 7, Charge and visiting Rear Admiral Douglas McAneny, Joint Staff,s Deputy Director for Politico-Military Affairs (Europe/NATO/Russia/Africa, J-5), met with United Nations Mission in Ethiopia and Eritrea (UNMEE) Special Representative of the UN Secretary-General (SRSG) Amb. Legwaila Joseph Legwaila and Deputy SRSG Amb. Azouz Ennifar. DATT, deputy polecon counselor, and Lieutenant Colonel Dan Hampton of the Joint Staff also accompanied Charge.

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GSE CONTINUES TO RESTRICT UNMEE MILOBS IN TSZ  
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[1](#)3. (C) UNMEE SRSG Legwaila observed that while the Ethiopia-Eritrea border situation appeared calm, "things are not normal," as the Government of the State of Eritrea (GSE) continued to hamper the work of UNMEE military observers (MILOBs) monitoring the Temporary Security Zone (TSZ). Eritrean police and militia, allowed within the TSZ in accordance with the 2000 cessation of hostilities agreement, failed to present required identification cards to UNMEE, and failed to allow UNMEE to inspect their weapons stores, he

said, which constituted a violation of both the cessation of hostilities agreement and the protocol on police. Legwaila underscored the importance of maintaining the special nature of the TSZ, calling it the "core" of the 2000 cessation of hostilities agreement. Despite protesting these violations to the GSE commissioner the previous week, and asking him to direct local Eritrean officials to end them, "intolerably high" restrictions continued, Legwaila said. In contrast to when UNMEE faced no restrictions in the TSZ, it now faced 10-14 restrictions daily on its freedom of movement within the TSZ. The TSZ was "being violated with impunity," Legwaila said, noting that he had already received reports that day of a restriction in the TSZ's central sector and nine in the western sector. The GSE, which had previously given UNMEE officials multiple-entry visas, were now issuing only single-entry visas, in order to enforce its expulsion of Western nationalities, he said.

14. (C) Such restrictions of movement, coupled with the GSE's continued ban on UNMEE aerial operations within the TSZ, severely hampered UNMEE's ability to monitor the border, Legwaila said. UNMEE could now only monitor 5 (five) per cent of the TSZ's eastern sector, he said, as it had previously relied on aerial reconnaissance to monitor that sector. Ground patrols also faced restrictions: Eritrean authorities did not allow UNMEE patrols traveling between Assab and Bure to leave use the highway, so UNMEE could not inspect encampments visible from the road.

15. (C) Even before the GSE's October 2005 flight ban, Eritrea had imposed more restrictions on UNMEE than Ethiopia had, Legwaila said. As the GSE had never recognized the concept of "adjacent areas" to the TSZ, UNMEE had never had full freedom of movement beyond the northern border of the TSZ,

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and could only visit sites outside the TSZ when permitted to by the GSE. In contrast, Ethiopia recognized "adjacent areas" and allowed UNMEE unhampered freedom of movement on its side of the border. Ethiopian troop movements had been "very transparent," Legwaila said, noting that Prime Minister Meles had informed UNMEE in advance before deploying an additional seven divisions to the border in December 2004, and before deploying an additional two divisions in 2005. The UNMEE Force Commander had since been able to verify their redeployment away from the border, Legwaila added.

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BORDER DEMARCATION REMAINS UNMEE'S GOAL  
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16. (C) Despite these restrictions, UNMEE's continued presence was intended to support the demarcation of the border, Legwaila said. "The reason why we are still here is because the (last) pillar has not been planted," he added. The creation of the TSZ in April 2001, and the subsequent imposition of UN peace-keepers, had created "space" for the parties; however, there was now no indication that the border would be demarcated, he said, citing the closure of Ethiopia-Eritrea Boundary Commission (EEBC) offices. Legwaila reviewed the parties' positions on demarcation: "dialogue" was anathema to Eritrea, who had avoided meetings with the UN special envoy and asserted that the EEBC decision could not be changed. Eritrea had also opposed partial demarcation, even though the border's eastern sector had been ready for demarcation since 2004, and demarcation would confirm Eritrean sovereignty over the port of Assab. On the other hand, Ethiopia was "determined" that the boundary decision "never" be implemented without discussion, and avoided appeared at the EEBC for fear of being presented with a timetable for demarcation. Both parties had last attended an EEBC meeting in November 2004 at the Hague, he said, when the EEBC confronted the GSE for blocking demarcation of the mutually agreed upon eastern sector as a confidence-building measure.

17. (C) Legwaila noted that Ethiopia currently occupied contested areas "legally," as the exchange of territory was preconditioned on demarcation. Eritrea, however, sought to transfer territory prior to demarcation. He noted that Botswana and Namibia had peacefully demarcated their border, through compromise and the exchange of land. Legwaila acknowledged that the line of delimitation had been determined "blindly" at The Hague, and therefore split villages and churches; some villages had moved from their locations on colonial era maps, he said. Nevertheless, the EEBC could vary the line only if both parties expressly empowered the EEBC to do so; this was not likely, so long as the GSE considered the boundary "immutably final and binding." While UNMEE called for dialogue, it was the parties' "prerogative" to determine the agenda; UNMEE had never called for a renegotiation of the EEBC decision, he said.

18. (C) Asked whether demarcation could proceed without the cooperation of Eritrea, Legwaila explained that demarcation would have to involve work on both sides of the border, on the basis of demarcation directives involving both Ethiopia and Eritrea. One could not demarcate unilaterally, he said; doing so might endanger the security of those conducting the pillar emplacement, he added. Legwaila lamented the absence of any peaceful dialogue between the two parties (apart from the UNMEE-chaired Joint Military Coordination meetings), underscoring that such dialogue was essential to making peace, and that the border would not be demarcated through "brinksmanship." Ethiopia and Eritrea "are condemned by geography" to co-exist with each other, but the anger between their two governments was now worse than in 2000, Legwaila said. He hailed the "determination" of AF A/S Frazer to resolve the border tensions, and noted the irony of the United States now "being condemned" in Eritrean state-run media, even though both parties had previously appealed for U.S. intervention.

19. (C) Asked whether the status quo gave rise to the threat of renewed hostilities, Legwaila said the border could be a source of future conflict if it remained undemarcated, but that neither party sought war now. Both parties had

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condemned the 1998-2000 war as "senseless," he said. Nevertheless, Ethiopia, having learned a historical lesson from 1998, would not allow itself to be caught by surprise again, he said. While Eritrea believed it had the right under Article 51 of the UN Charter to take back what it considered to be "occupied territory," doing so would lead to international condemnation of the GSE, Legwaila said, citing the Ethiopian-Eritrean Claims Commission's recent decision that identified Eritrea as an aggressor. (NOTE: Article 51 in Chapter VII addresses a member state's "right to self-defense". END NOTE.)

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CUTTING UNMEE TO A "TOKEN PRESENCE" WOULD HALVE ITS COST  
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110. (C) Legwaila said that all six options for the future of UNMEE presented by the UN SYG (in S-2006-1) were "offensive" to the GSE, but he questioned whether one could sustain the status quo, citing UNMEE's annual cost and the continued "harassment" it faced from the GSE. "Why should UNMEE remain in place, if it is not allowed to do its work?" he said. By continuing its restrictions on UNMEE, Eritrea was withdrawing its "consent" for the mission under Chapter VI of the UN Charter. He said the current stalemate was caused by the parties, not by the mission, which had been successful. The total withdrawal of UNMEE would not necessarily lead to war, but would make the border "extremely volatile". However, a downsized UNMEE "may end up as the best solution," he said.

111. (C) Legwaila advocated reducing UNMEE to "a token presence," arguing that the approximately \$180 million annual

cost of UNMEE could be used for other peace-keeping operations where opportunity for political dialogue existed, such as Sudan. It was "nonsense" to "keep UNMEE as it is now," Legwaila said, explaining that a "token presence" would cost \$87 million (or half UNMEE's current cost), while a smaller "liaison office" concept would only cost about \$45 million. Legwaila rejected the proposal to move UNMEE's entire operations from Eritrea to Ethiopia, saying that removing Indian and Jordanian contingents from the TSZ would anger Ethiopia and prompt Ethiopia to reoccupy the TSZ.

¶12. (C) Asked whether downsizing UNMEE would compel Eritrea to return to the peace process, Legwaila said Eritrea needed to realize the danger that the international community could simply abandon the Ethiopia-Eritrea border issue, leaving Eritrea "to its own devices." "Eritrea is holding a losing hand; their intransigence will cost them in the end," he said. Legwaila warned that of the possibility that the border, like many others, would simply never be demarcated, thus preserving Ethiopian occupation of all the disputed areas (e.g., Badme and Irob). Legwaila added that demarcation of the border would reinforce the status of Eritrea as an independent state, as some Ethiopian ultra-nationalists sought to reincorporate Eritrea into Ethiopia. Legwaila observed that Norwegian deputy foreign minister Vidar Helgesen, who had close relations with Eritrea's President Isaias, had warned Isaias of the need to engage the international community. Charge noted that PM Meles had told A/S Frazer that Eritrea's President Isaias was subject to about-faces and quick changes in policy.

¶13. (C) COMMENT: UNMEE SRS Legwaila's recommendation that UNMEE be reduced to "a token presence" is consistent with earlier statements to visiting AF A/S Frazer that UNMEE could still support demarcation if changed to a pure observer mission (ref A). Legwaila's lament that UNMEE can now only monitor 5 per cent of the eastern sector should be a concern: the temporary occupation of "Point 885" in November 2005 by an Ethiopian infantry platoon (ref B), in violation of the June 2000 cessation of hostilities agreement, occurred in the eastern sector. END COMMENT.

¶14. (U) RADM McAneny cleared the text of this cable.  
HUDDLESTON